



Committee on Community Colleges and Workforce

Meeting

Thursday, January 26, 2006

1:00 PM – 2:45 PM

Room 24, House Office Building

MEETING PACKET

Allan Bense
Speaker

Pat Patterson
Committee Chair



FLORIDA HOUSE OF REPRESENTATIVES

Allan G. Bense, Speaker

Community Colleges & Workforce Committee

Pat Patterson
Chair

Ed Jennings
Vice Chair

Meeting Agenda

Thursday, January 26, 2006
24 HOB, 1:00 PM – 2:45 PM

- I. Call to Order & Roll Call**
- II. Opening Remarks by Chair Patterson**
- III. Consideration of the following bills:**
 - HB 387 by Representative Patterson**
Student Financial Assistance
 - HB 505 by Representative Henriquez**
Community Colleges
- IV. Closing Comments**
- V. Meeting Adjourned**

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 387
SPONSOR(S): Patterson
TIED BILLS:

Student Financial Assistance

IDEN./SIM. BILLS: SB 1016

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Community Colleges & Workforce Committee</u>	<u></u>	Thomas <i>NOT</i>	Ashworth <i>aga</i>
2) <u>Education Appropriations Committee</u>	<u></u>	<u></u>	<u></u>
3) <u>Education Council</u>	<u></u>	<u></u>	<u></u>
4) <u></u>	<u></u>	<u></u>	<u></u>
5) <u></u>	<u></u>	<u></u>	<u></u>

SUMMARY ANALYSIS

HB 387 creates the Florida Independent Collegiate Assistance Grant Program (FICA) to provide tuition assistance to state residents who wish to attend nonpublic institutions of higher education and are enrolled in programs leading to specified occupations. The FICA Grant Program will be administered by the Department of Education (DOE).

HB 387 authorizes the DOE to issue a FICA Grant to any student who meets the following requirements:

- Meets the same student residency requirements as those for students eligible for state financial aid.
- Is enrolled as a full-time undergraduate student in a Florida campus-based program at an eligible nonpublic institution of higher education and is seeking an associate or higher degree.
- Is enrolled in an undergraduate degree program that leads to employment in one of the top 15 occupations, in numbers of annual openings, as listed on the Agency for Workforce Innovation's Florida Statewide Targeted Occupations List at the time of initial enrollment.
- Is making satisfactory academic progress as defined by the nonpublic institution of higher education in which the student is enrolled.

HB 387 defines an "eligible institution of higher education" as an institution that:

- Is licensed by the Commission for Independent Education.
- Is accredited by an accrediting agency that is recognized by the US Secretary of Education
- Has established performance requirements for student achievement that include minimum objective quantitative standards, including completion rates and placement rates as determined by its accrediting agency.
- Is not eligible to participate in the Access to Better Learning and Education Grant Program (ABLE) or the William L. Boyd, IV, Florida Resident Access Grant Program (FRAG).

HB 387 authorizes the State Board of Education to adopt rules for implementation of the FICA Grant Program and for the criteria and priorities for funding. The criteria and priorities for funding must be for the top 15 occupations listed and must match Standard Occupational Classification (SOC) titles on the Agency for Workforce Innovation's list with Classification of Instructional Programs (CIP) codes for licensed training programs.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Provide limited government – The bill creates an additional student tuition assistance grant program to be administered by the Department of Education and gives rulemaking authority to the State Board of Education with regard to the implementation of the FICA Grants Program.

Empower Families – The bill provides a student tuition assistance grant to students, which could lead to employment in statewide targeted occupations.

B. EFFECT OF PROPOSED CHANGES:

PRESENT SITUATION

Student Tuition Assistance Grant Programs

The Department of Education (DOE) currently administers two student tuition assistance grant programs: The William L. Boyd, IV, Florida Resident Access Grant Program (FRAG) and the Access to Better Learning and Education Grant Program (ABLE).

Florida Resident Access Grants (FRAG) - eligible institutions are private, non-profit, located in and chartered by the state, accredited by the Southern Association of Colleges and Schools (SACS), grant baccalaureate degrees, and are secular in purpose.

Access to Better Learning and Education Grant Program (ABLE) - eligible institutions are private, for-profit, located in and chartered by the state, accredited by SACS, grant baccalaureate degrees, and are secular in purpose. Those institutions eligible for ABLE in its second year of funding are private, non-profit, located in Florida for 10 years, chartered out of the state, accredited by SACS, Middle States Association of Colleges and Schools, North Central Association of Colleges and School, or New England Association of Colleges and School, grant baccalaureate degrees, and are secular in purpose.

Commission for Independent Education (CIE)

The Commission for Independent Education (CIE) was created in s. 1005.21, F.S. by the 2001 Legislature as a result of combining and transferring to a single board the powers and duties of the State Board of Independent Colleges and Universities and the State board of Nonpublic Career Education. CIE has jurisdiction for independent postsecondary education institutions with the exception of those independent nonprofit colleges or universities eligible to participate in the Florida Resident Access Grant (FRAG) program and certain religious colleges.

For the independent postsecondary institutions under its jurisdiction, CIE:

- sets licensure standards.
- reviews applications for and issues licenses.
- monitors the consumer practices of these institutions.
- serves as a central agency for collection and distributing information regarding these institutions.

Statewide Targeted Occupation List

The statewide list of targeted occupations is determined by the Florida Workforce Estimating Conference (WEC). Section 216.136(a)2., F.S., requires the WEC to review data concerning the local and regional demands for short-term and long-term employment in High-Skills/High-Wage Program

jobs, as well as other jobs. Data is generated through surveys conducted as part of the state's Internet-based job matching and labor market information system authorized under s. 445.011, F.S. The WEC develops the official targeted occupations list based on industry and occupational employment projections and wages prepared by the Florida Agency for Workforce Innovation, Labor Market Statistics office. The WEC meets semi-annually and makes recommendations to Workforce Florida, Inc. for use as a guide for establishing Regional Targeted Occupation Lists, which are approved by Workforce Florida, Inc.¹

Effects of Proposed Changes

HB 387 creates s. 1009.893, F.S., the Florida Independent Collegiate Assistance Grant Program (FICA) to be administered by the Department of Education (DOE) according to rules adopted by the State Board of Education (SBE). The intent of the bill is to provide for Florida residents who are seeking higher education and training to make substantial contributions to the development of the state's economy by attending nonpublic postsecondary institutions. The program is not based upon the student's financial need or merit, but is a tuition assistance program.

HB 387 provides that the DOE may issue a FICA grant to any student who meets all of the following requirements:

- Meets the same student residency requirements as those for students eligible for state financial aid.
- Is enrolled as a full-time undergraduate student in a Florida campus-based program at an eligible nonpublic institution of higher education and is seeking an associate or higher degree.
- Is enrolled in an undergraduate degree program that leads to employment in one of the top 15 occupations, in numbers of annual openings, as listed on the Agency for Workforce Innovation's Florida Statewide Targeted Occupations List at the time of initial enrollment.
- Is making satisfactory academic progress as defined by the nonpublic institution of higher education in which the student is enrolled.

HB 387 defines an "eligible institution of higher education" as an institution that:

- Is licensed by the Commission of Independent Education.
- Is accredited by an accrediting agency that is recognized by the U.S. Secretary of Education
- Has established performance requirements for student achievement that include minimum objective quantitative standards, including completion rates and placement rates as determined by its accrediting agency.
- Is not eligible to participate in the Access to Better Learning and Education Grant Program (ABLE) or the William L. Boyd, IV, Florida Resident Access Grant Program (FRAG).

HB 387 authorizes the State Board of Education to adopt rules pursuant to ss.120.536 (1) and 120.54 for implementation of the FICA Grant Program.

The Department of Education states that currently 91 private postsecondary institutions accredited by an agency approved by the United States Department of Education and licensed by CIE are eligible for this program. These institutions offer 210 associate programs with a reported enrollment of 20,453 students. The student count is a head-count only; there is no breakdown available by full-time, Florida residents. DOE's Classification of Instruction (CIP) codes are created by the Office of Workforce Education for programs only up to the Associate Science degree levels. CIP codes will need to be created for those higher-level programs.

HB 387 requires the State Board of Education to adopt the top fifteen occupations from the Florida Statewide Demand Occupations List with Standard Occupation Classification (SOC). The SOC must be matched with Classification of Instruction Programs (CIP), which are workforce program codes, to identify education for licensed training programs.

¹ See <http://www.labormarketinfo.com/wec/index.htm>

C. SECTION DIRECTORY:

Section1: Creates s. 1009.893, F.S.; providing legislative intent; creating the Florida Independent Collegiate Assistance Grant Program to provide grants to certain students who attend nonpublic institutions of higher education and are enrolled in programs leading to specified occupations; requiring the Department of Education to administer the program; providing eligibility requirements; providing requirements for the criteria and priorities for funding; defining the term "eligible nonpublic institution of higher education"; requiring the adoption of rules.

Section 2: Provides an effective date of July 1, 2006.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

2. Expenditures:

See Fiscal Comments.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The FICA grant program would provide a more affordable education for eligible students and possibly increase enrollment at the eligible institutions.

D. FISCAL COMMENTS:

The bill does not provide a number of students at an intended award amount, or list an appropriations request; therefore, an estimate of expenditures is not available.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not appear to require a city or county to spend funds or to take any action requiring expenditure of funds.

2. Other:

None

B. RULE-MAKING AUTHORITY:

HB 387 establishes rulemaking authority for the State Board of Education (SBE).

C. DRAFTING ISSUES OR OTHER COMMENTS:

IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES

HB 387

2006

1 A bill to be entitled
 2 An act relating to student financial assistance; creating
 3 s. 1009.893, F.S.; providing legislative intent; creating
 4 the Florida Independent Collegiate Assistance Grant
 5 Program to provide grants to certain students who attend
 6 nonpublic institutions of higher education and are
 7 enrolled in programs leading to specified occupations;
 8 requiring the Department of Education to administer the
 9 program; providing eligibility requirements; providing
 10 requirements for the criteria and priorities for funding;
 11 defining the term "eligible nonpublic institution of
 12 higher education"; requiring the adoption of rules;
 13 providing an effective date.

14
 15 Be It Enacted by the Legislature of the State of Florida:

16
 17 Section 1. Section 1009.893, Florida Statutes, is created
 18 to read:

19 1009.893 Florida Independent Collegiate Assistance Grant
 20 Program.--

21 (1) The Legislature finds and declares that nonpublic
 22 institutions eligible to participate in the Florida Independent
 23 Collegiate Assistance Grant Program are an integral part of the
 24 higher education system in this state. The Legislature finds
 25 that a significant number of state residents choose to pursue
 26 higher education at these institutions and that these
 27 institutions and the students they educate and train make a
 28 substantial contribution to the development of the state's

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economy. The Legislature intends to create a grant program that is not based on a student's financial need or other criteria upon which most financial aid programs are based, but to create a tuition assistance program for state residents.

(2) There is created the Florida Independent Collegiate Assistance Grant Program, or FICA Grant Program, to be administered by the Department of Education.

(3) Subject to legislative appropriation, the department shall issue an access grant under the FICA Grant Program to any full-time student who:

(a) Meets the residency requirement as provided in s. 1009.40.

(b) Is enrolled as a full-time undergraduate student in a Florida campus-based program at an eligible nonpublic institution of higher education and is seeking an associate or higher degree.

(c) Is enrolled in an undergraduate degree program that leads to employment in one of the top 15 occupations, in numbers of annual openings, as listed on the Agency for Workforce Innovation's Florida Statewide Targeted Occupations List at the time of initial enrollment.

(d) Is making satisfactory academic progress as defined by the nonpublic institution of higher education in which the student is enrolled.

(4) The criteria and priorities for funding shall be adopted annually by State Board of Education rule for the top 15 occupations listed and shall match standard occupational classification titles on the Agency for Workforce Innovation's

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57 lists with Classification of Instructional Programs (CIP) codes
58 for licensed training programs.

59 (5) As used in this section, the term "eligible nonpublic
60 institution of higher education" means an institution:

61 (a) That is licensed by the Commission for Independent
62 Education under chapter 1005, is accredited by an accrediting
63 agency that is recognized by the United States Secretary of
64 Education as a reliable authority as to the quality of education
65 or training offered at its accredited institutions, and has
66 established performance requirements for student achievement
67 that include minimum objective quantitative standards, including
68 completion rates and placement rates as determined by its
69 accrediting agency.

70 (b) Whose students are ineligible to participate in the
71 Access to Better Learning and Education Grant Program and the
72 William L. Boyd, IV, Florida Resident Access Grant Program.

73 (6) The State Board of Education shall adopt rules
74 pursuant to ss. 120.536(1) and 120.54 for implementation of the
75 FICA Grant Program.

76 Section 2. This act shall take effect July 1, 2006.

BILL #: HB 505 Community Colleges
SPONSOR(S): Henriquez and others
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Community Colleges & Workforce Committee</u>		Thomas <i>MDT</i>	Ashworth <i>ofa</i>
2) <u>Education Appropriations Committee</u>			
3) <u>Governmental Operations Committee</u>			
4) <u>Education Council</u>			
5) _____			

HB 505 provides that a community college's program of intercollegiate athletics may include intercollegiate football.

Currently, 25 community colleges in Florida sponsor intercollegiate athletic programs, which include baseball, basketball, swimming, golf, fast-pitch softball, volleyball, and tennis. State Board of Education Rule prohibits community colleges from including intercollegiate football.

Under the provisions of HB 505, a community college could choose to include an intercollegiate football program. Federal gender equity laws would require adding 1.2 female athletes for every male football player at the college to maintain gender equity.

The estimated cost of a football program is \$750,000 to \$1,000,000 per year.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Provide Limited Government: The bill authorizes community colleges to include intercollegiate football as part of the athletic program.

B. EFFECT OF PROPOSED CHANGES:

Present Situation

Community colleges are not required to participate in intercollegiate athletic programs. Of the 28 community colleges in the state of Florida 25 of them sponsor intercollegiate athletic programs and participate in four athletic conferences under the direction of the Florida Community College Activities Association. Athletic programs may include baseball, basketball, swimming, golf, fast-pitch softball, volleyball, and tennis.

Currently, State Board of Education Rule 6A-14.058 states that community colleges are prohibited from including intercollegiate football as an authorized student activity. Statutory authority for this rule is in s. 1001.02(1) and (9), F.S. Section 1001.02(1), F.S., authorizes the State Board of Education to adopt rules to implement provisions of law conferring duties upon the SBOE for the improvement of the education system. Subsection (9) of the same section of law requires that the SBOE rules for community colleges must address program offerings, provisions for program service areas, nonclassroom activities, and student services.

The number of community colleges sponsoring National Junior College Athletic Association (NJCAA) intercollegiate football programs is on the decline. In the 1993-94 academic year, 78 community colleges sponsored intercollegiate football. By 2005-06, only 69 community colleges sponsored intercollegiate football.

Effects of Proposed Changes

HB 505 provides that a community college's program of intercollegiate athletics may include intercollegiate football. The bill does not require a community college to sponsor an intercollegiate football program.

Expense

The estimated recurring cost of a football program is \$750,000 – \$1,000,000 a year.¹ This figure includes facilities, equipment, coaching and other staffing, scholarships, catastrophic insurance, medical examination and care, and travel.

Gender Equity

Title IX requirements would pose an obstacle for community colleges that sponsored intercollegiate football. The mandate would require adding 1.2 female athletes for every male football player at the college to maintain gender equity.

C. SECTION DIRECTORY:

Section 1: Amends s. 1001.65, F.S.; providing that a community college's program of intercollegiate athletics may include intercollegiate football.

Section 2: Provides an effective date of July 1, 2006.

¹ Florida Department of Education 2006 Legislative Bill Analysis, January 11, 2006, at 2.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

The estimated recurring cost of a football program is \$750,000 – \$1,000,000 a year.² This figure includes facilities, equipment, coaching and other staffing, scholarships, catastrophic insurance, medical examination and care, and travel. Community colleges will need to weigh the cost to support an intercollegiate football program against the benefits of having such a program.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

The bill does not appear to require a city or county to spend funds or to take any action requiring expenditure of funds.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

² *Id.*

IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES

HB 505

2006

A bill to be entitled

An act relating to community colleges; amending s.
1001.65, F.S.; providing that a community college's
program of intercollegiate athletics may include
intercollegiate football; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (8) of section 1001.65, Florida
Statutes, is amended to read:

1001.65 Community college presidents; powers and
duties.--The president is the chief executive officer of the
community college, shall be corporate secretary of the community
college board of trustees, and is responsible for the operation
and administration of the community college. Each community
college president shall:

(8) Administer the community college's program of
intercollegiate athletics, which may include intercollegiate
football.

Section 2. This act shall take effect July 1, 2006.